

12711



LOUISVILLE & NASHVILLE RAILROAD COMPANY

908 W. BROADWAY LOUISVILLE, KENTUCKY 40203 TELEPHONE (502) 587-5235

RECORDATION NO. 12711-11

Filed 1425

LAW DEPARTMENT

JUN 19 1981 - 11 55 AM June 16, 1981

INTERSTATE COMMERCE COMMISSION

DAVID M. YEARWOOD
GENERAL ATTORNEY

1E-170A015

No.

JUN 19 1981

Date.....

Fee \$10.00

ICC Washington, D. C.

Ms. Agatha L. Mergenovich
Secretary
Interstate Commerce Commission
Washington, D. C. 20423

Dear Madam Secretary:

There is transmitted to you herewith for filing and recordation, pursuant to 49 U.S.C. Section 11303, five duly executed counterparts of an Agreement dated as of May 15, 1981 by and between The M. W. Kellogg Company (Pullman-Standard Division), whose address is 200 South Michigan Avenue, Chicago, Illinois 60604, and Louisville and Nashville Railroad Company, whose address is 908 West Broadway, Louisville, Kentucky 40203.

By this Agreement, the parties acknowledged the cancellation and termination of that Lease Agreement dated as of December 30, 1980, which was filed and recorded with the Interstate Commerce Commission on January 6, 1981 and assigned Recordation No. 12711.

This letter of transmittal is signed by an officer of Louisville and Nashville Railroad Company who has knowledge of the matters set forth herein.

Attached hereto is a draft in the amount of \$10.00 payable to the Interstate Commerce Commission covering the recordation fee for said Agreement.

After recordation, please return the recorded counterparts of the Agreement to:

RECEIVED
JUN 19 11 50 AM '81
RECORDATION DEPT.

Mrs. Lee
this is
a release of
the lease
under
Rec No.
12711, but
I don't know
the right
number

Charles Yearwood - D. C.

Ms. Agatha L. Mergenovich -2-

June 16, 1981

Mr. Allen H. Harrison
Wilmer, Cutler & Pickering
1666 K Street, N. W.
Washington, D. C. 20006.

Respectfully yours,

Louisville and Nashville Railroad Company

By David M. Yearwood
David M. Yearwood
General Attorney

RECORDATION NO. 12711-A
Filed 1425

JUN 19 1981 -11 55 AM
INTERSTATE COMMERCE COMMISSION

AGREEMENT

THIS AGREEMENT, dated as of May 15, 1981, by and between The M. W. Kellogg Company (Pullman-Standard Division), and LOUISVILLE AND NASHVILLE RAILROAD COMPANY.

WITNESSETH:

WHEREAS, the parties hereto have entered into a Lease Agreement dated as of December 30, 1980 covering 375 100-ton covered hopper cars;

WHEREAS, said Lease Agreement was filed and recorded with the Interstate Commerce Commission on January 6, 1981 and assigned Recordation No. 12711;

WHEREAS, the parties desire to execute this Agreement to acknowledge and evidence the cancellation and termination of said Lease Agreement.

NOW, THEREFORE, in consideration of the premises, the parties hereto do hereby agree as follows:

1. The cancellation and termination of that Lease Agreement dated as of December 30, 1980, is hereby acknowledged.
2. This Agreement may be executed in any number of counterparts, each of which is executed shall be deemed to

be an original.

THE M. W. KELLOGG COMPANY
(PULLMAN-STANDARD DIVISION)

By RC Smyser
Vice President-Freight Unit

(Corporate Seal)

Attest:

William O. O'Keefe
Assistant Secretary

LOUISVILLE AND NASHVILLE RAILROAD COMPANY

By W. I. Johnson
Director of Purchases

(Corporate Seal)

Attest:

David M. Yarnwood
Attesting Officer

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

On this 16th day of June, 1981, before me personally appeared R. C. Snyder to me personally known, who, being by me duly sworn, says that he is a Vice Pres. - Freight Unit of THE M. W. KELLOGG COMPANY (PULLMAN-STANDARD DIVISION), that one of the seals affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Norothy L. Steckley
MY COMMISSION EXPIRES FEBRUARY 25, 1984

(Notarial Seal)

COMMONWEALTH OF KENTUCKY)
) SS:
COUNTY OF JEFFERSON)

On this 15th day of June, 1981, before me personally appeared W. I. Johnson to me personally known, who, being by me duly sworn, says that he is Director of Purchases of LOUISVILLE AND NASHVILLE RAILROAD COMPANY, that one of the seals affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

David M. Yarnwood

Commission expires December 11, 1981

(Notarial Seal)